

Dated: April 18, 1995.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary for Compliance.*

**Appendix: Amended HTS List for Cotton Yarn From Peru (C-333-002)**

Subheadings 5205.1110 through 5206.4500, inclusive.

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[C-333-402]

**Certain Textile Mill Products From Peru; Notice of Scope Amendment**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of amendment to the existing conversion of the scope of the order from the Tariff Schedules of the United States Annotated to the Harmonized Tariff Schedule.

**SUMMARY:** On January 1, 1989, the United States fully converted to the international harmonized system of tariff classification. On January 11, 1989, the Department of Commerce (the Department) published the *Conversion to Use of the Harmonized Tariff Schedule of Classifications for Antidumping and Countervailing Duty Proceedings* (54 FR 993; January 11, 1989) (1989 Conversion) for all antidumping and countervailing duty orders in effect or investigations in progress as of January 1, 1989. On October 5, 1994, the Department published a proposed amendment to the conversion (59 FR 50726). Interested parties were invited to comment on this proposed amended conversion. The Department also requested the U.S. Customs Department to comment on the proposed amendment to the conversion. Based on our analysis of the comments received, the Department is now publishing an amended conversion of the scope of the countervailing duty order on certain textile mill products from Peru.

**EFFECTIVE DATE:** May 1, 1995.

**FOR FURTHER INFORMATION CONTACT:** Martina Tkadlec or Kelly Parkhill, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone (202) 482-2786.

**SUPPLEMENTARY INFORMATION:**

**Background**

In 1985, the Department issued a countervailing duty order on Certain Textile Mill Products from Peru (C-333-

402) (50 FR 9871; March 12, 1985). The scope of this order was originally defined solely in terms of the Tariff Schedules of the United States Annotated (TSUSA) item numbers; no narrative product description was provided. On January 1, 1989, the United States fully converted from the TSUSA to the Harmonized Tariff Schedule (HTS). Section 1211 of the Omnibus Trade and Competitiveness Act of 1988 directed the Department to "take whatever actions are necessary to conform, to the fullest extent practicable, with the tariff classification system of the Harmonized Tariff Schedule (for) all \* \* \* orders \* \* \*" in effect at the time of the implementation of the HTS.

Accordingly, on January 11, 1989, after reviewing comments received from the public, the Department published the 1989 Conversion for all antidumping and countervailing duty orders in effect or investigations in progress as of January 1, 1989 (54 FR 993). That notice also included the conversion of the scope of the countervailing duty order on certain textile mill products from Peru from TSUSA to HTS item numbers. The 1989 Conversion was based on a one-to-one correspondence of the TSUSA and HTS item numbers. In the notice, the Department stated that it would review the HTS classifications at any time during a proceeding upon receipt of new information or additional comments.

Subsequently, as a result of comments submitted to the Department by the importing public and advice received from the U.S. Customs Service, the Department determined (1) that the 1989 Conversion did not accurately reflect the scope of the countervailing duty order on certain textile mill products from Peru and, therefore, (2) that the 1989 Conversion should be amended. On October 5, 1994, the Department published a proposed amendment to the 1989 Conversion and invited interested parties to comment (59 FR 50726). The Department also requested comments on the proposed conversion from the U.S. Customs Service.

Based on our analysis of the comments received, the Department has amended the 1989 Conversion governing the countervailing duty order on certain textile mill products from Peru. The HTS numbers included in this order are listed in the attached Appendix.

**Analysis of Comments Received**

*Comments from the Government of Peru:* The Government of Peru (GOP) contends that the HTS subheadings

5208.1260, 5208.1920, and 5208.2240 cover products that should properly be classified under the countervailing duty order on cotton sheeting and sateen (C-333-001). The GOP therefore suggests that these products should be excluded by including these HTS subheadings in the scope, but at the 10-digit level.

*Department's Position:* We disagree.

(1) Based on average yarn number, the sheeting under the HTS subheading 5208.1260 is not within the scope of the countervailing duty order on cotton sheeting and sateen from Peru. Therefore, the products under this subheading should be covered by the countervailing duty order on certain textile mill products from Peru.

(2) The HTS subheading 5208.1920 is listed in the scope of both the countervailing duty order on certain textile mill products from Peru and the countervailing order on cotton sheeting and sateen from Peru, but the coverage is clearly defined under both orders through footnotes. Under the countervailing duty order on certain textile mill products from Peru, the HTS subheading 5208.1920 applies to "fabric, not wholly of satin weave," while under the countervailing order on cotton sheeting and sateen from Peru, the HTS subheading 5208.1920 applies to "fabric, wholly of satin weave." Consequently, there is no overlap between the two countervailing duty orders.

(3) The HTS subheading 5208.2240 is for bleached goods only, including bleached sheeting. However, the countervailing order on cotton sheeting and sateen from Peru does not cover bleached sheeting. Therefore, goods under this HTS subheading should be covered under the countervailing duty order on certain textile mill products from Peru.

*Other Comments:* Based on comments from the U.S. Customs Service and advice from the U.S. International Trade Commission, we are making the following changes to the HTS-defined scope, as published on October 5, 1994 (59 FR 50726), so that it better reflects the original TSUSA-defined scope of this countervailing duty order:

1. We are inserting the following HTS subheadings: 5111.1120, 5111.1130, 5111.1910, 5111.2005, 5111.2010, 5111.2090, 5111.3005, 5111.3010, 5111.3090, 5111.9040, 5111.9050, 5111.9090, 5112.1110, 5112.1920, 5112.2010, 5112.2020, 5112.2030, 5112.3010, 5112.3020, 5112.3030, 5112.9040, 5112.9050, 5112.9090, 5210.1140, 5210.1160, 5210.1200, 5210.1920, 5210.1940, 5210.1960, 5210.2160, 5210.2940, 5210.2960, 5211.1100, 5211.1900, 5211.2100,

5211.2900, 5513.4100, 5810.9910, 6302.5130.

2. We are deleting the footnote "Coverage limited to fabric, wholly or in part of fine animal hair" from HTS subheadings 5112.1120 and 5112.1990.

3. We are deleting HTS subheadings 5701.1016 and 5805.0025 because products covered under these HTS subheadings were excluded from the original TSUSA-defined scope of this countervailing duty order.

4. As a result of HTS subheading changes made effective on January 1, 1995, the HTS subheading 5701.1020 was replaced by 5701.1040 and 5701.1090. However, since 5701.1040 covers hand-made carpets, which were excluded from the original TSUSA-defined scope, we are replacing 5701.1020 only with 5701.1090, which covers other carpets.

5. We are inserting HTS subheadings 5407.7100, 5407.7200, 5407.7300, and 5407.7400 with the following footnote: "Coverage limited to fabric, not containing 85 percent or more by weight of polyester filaments."

6. We are inserting HTS subheadings 6302.2150 and 6302.3150 with the following footnote: "Coverage limited to pillowcases, other than bolster cases."

#### Instructions to Customs

The Department will instruct the U.S. Customs Service to liquidate without regard to countervailing duties all unliquidated entries of certain textile mill products from Peru not covered by the attached Appendix that were exported from Peru on or after May 18, 1992. The Department will also instruct the U.S. Customs Service to liquidate at the appropriate countervailing duty rate all unliquidated entries of the subject merchandise covered in the attached Appendix that were exported on or after May 18, 1992, and on or before December 31, 1994.

In addition, we are instructing the Customs Service to terminate the suspension of liquidation for all entries of certain textile mill products from Peru not covered in the attached Appendix, that are entered or withdrawn from the warehouse on or after the date of publication of this notice. The Department will also instruct the U.S. Customs Service to continue to suspend liquidation and collect the appropriate cash deposit of estimated countervailing duties for the subject merchandise listed in the attached Appendix, entered or withdrawn from the warehouse, on or after the date of publication of this notice.

Dated: April 18, 1995.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary for Compliance.*

#### Appendix: Amended HTS List for Certain Textile Mill Products From Peru (C-333-402)

5106.1000*	5208.1180	5511.3000
5106.2000*	5208.1260	5513.4100
5107.1000*	5208.1280	5702.3110
5107.2000*	5208.1300	5702.3120
5108.1060*	5208.1920†	5702.4110
5108.2060*	5208.1940	5702.4120
5109.1060	5208.1960	5702.5120
5109.9060	5208.1980	5702.5140
5111.1120	5208.2120	5702.9130
5111.1130	5208.2140	5702.9140
5111.1170	5208.2160	5703.1000
5111.1910	5208.2240	5801.1000
5111.1960	5208.2260	5801.3300
5111.2005	5208.2280	5801.3400
5111.2010	5208.2940	5801.3500
5111.2090	5208.2960	5810.9910
5111.3005	5208.2980	6002.4200
5111.3010	5209.1100	6301.2000
5111.3090	5209.1200	6302.2150▼
5111.9040	5209.2100	6302.3150▼
5111.9050	5210.1140	6302.5130
5111.9090	5210.1160	6304.9915
5112.1110	5210.1200	6306.1100
5112.1120	5210.1920	6306.2100
5112.1920	5210.1940	6306.9100
5112.1990	5210.1960	
5112.2010	5210.2160	
5112.2020	5210.2940	
5112.2030	5210.2960	
5112.3010	5211.1100	
5112.3020	5211.1900	
5112.3030	5211.2100	
5112.9040	5211.2900	
5112.9050	5406.1000	
5112.9090	5406.2000	
5204.1100	5407.7100♦	
5204.1900	5407.7200♦	
5204.2000	5407.7320♦	
5207.1000	5407.7400♦	
5207.9000	5511.1000	
5208.1140	5511.2000	

\* Coverage limited to single or multiple (folded) or cabled yarn, not exceeding 22 nm per single yarn.

— Coverage limited to fabric, not wholly of satin weave.

▼ Coverage limited to fabric, not containing 85 percent or more by weight of polyester filaments.

♦ Coverage limited to pillowcases, other than bolster cases.

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#### Minority Business Development Agency

#### Business Development Center Applications: Boston, Massachusetts

**AGENCY:** Minority Business Development Agency, Commerce.

**ACTION:** Notice.

**SUMMARY:** In accordance with Executive Order 11625 and 15 U.S.C. 1512, the Minority Business Development Agency

(MBDA) is soliciting competitive applications to operate its Boston Minority Business Development Center (MBDC).

The purpose of the MBDC Program is to provide business development services to the minority business community to help establish and maintain viable minority businesses. To this end, MBDA funds organizations to identify and coordinate public and private sector resources on behalf of minority individuals and firms; to offer a full range of client services to minority entrepreneurs; and to serve as a conduit of information and assistance regarding minority business. The MBDC will provide service in the Boston Metropolitan Area. The award number of the MBDC will be 01-10-95001-01.

**DATES:** The closing date for applications is June 12, 1995. Applications must be received in MBDA Headquarters' Executive Secretariat on or before June 12, 1995. A preapplication conference will be held on May 25, 1995, from 10:00 a.m. to 4:00 p.m., at the Thomas P. O'Neill Federal Office Building, 10 Causeway Street, Room 1088, Boston Massachusetts.

**ADDRESSES:** Completed application packages should be submitted to the U.S. DEPARTMENT OF COMMERCE, MINORITY BUSINESS DEVELOPMENT AGENCY, EXECUTIVE SECRETARIAT, 14th and CONSTITUTION AVENUE, N.W., ROOM 5073, WASHINGTON, D.C. 20230.

**FOR FURTHER INFORMATION AND AN APPLICATION PACKAGE CONTACT:** Heyward Davenport, Regional Director at (212) 264-3262.

**SUPPLEMENTARY INFORMATION:** Contingent upon the availability of Federal funds, the cost of performance for the first budget period (13 months) from October 1, 1995 to October 31, 1996, is estimated at \$222,196. The total Federal amount of \$188,867 and is composed of \$184,260 plus the Audit Fee amount of \$4,607. The application must include a minimum cost share 15% (\$33,329) in non-federal (cost sharing) contributions for a total project cost of \$222,196. Cost-sharing contributions may be in the form of cash, client fees, third party in-kind contributions, non-cash applicant contributions or combinations thereof.

The funding instrument for this project will be a cooperative agreement. For those applicants who are not incumbent organizations or who are incumbents that have experienced closure due to a break in service, a 30-day start-up period will be added to their first budget period, making it a 13-month award. Competition is open to